

AMENDED IN SENATE AUGUST 24, 2012

AMENDED IN SENATE JULY 6, 2012

AMENDED IN ASSEMBLY MAY 10, 2011

AMENDED IN ASSEMBLY APRIL 15, 2011

AMENDED IN ASSEMBLY APRIL 5, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 491

Introduced by Assembly Member ~~Miller~~ Ma
(Coauthors: Assembly Members Garrick and Miller)
(Coauthor: Senator Wyland)

February 15, 2011

~~An act to add and repeal Section 969.7 of the Streets and Highways Code, relating to public roads. An act to amend Section 1255 of the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 491, as amended, ~~Miller~~ Ma. ~~Public roads: fire suppression. General acute care hospitals: cardiac catheterization.~~

Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, administered by the State Department of Public Health. A violation of these provisions is a crime.

Existing law authorizes the department to approve, as prescribed, a general acute care hospital to offer specified special services, including,

but not limited to, cardiac catheterization laboratory services, in addition to the basic services offered under the facility's license.

This bill would authorize the expansion of a cardiac catheterization laboratory service under specified circumstances. Because this bill would expand the definition of a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law authorizes a county board of supervisors, after adopting a resolution, as specified, determining that the general county interest demands the improvement or repair of a privately owned road, to improve or repair that road and to pay for those improvements or repairs in a like manner as improvements or repairs of county highways.~~

~~This bill, until January 1, 2017, would grant a board of supervisors the same authority with respect to improvement and repair of a public road that is not a county highway or part of the county maintained system, if necessary for purposes of fire suppression.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1255 of the Health and Safety Code is
- 2 amended to read:
- 3 1255. (a) In addition to the basic services offered under the
- 4 license, a general acute care hospital may be approved in
- 5 accordance with subdivision (c) of Section 1277 to offer special
- 6 services, including, but not limited to, the following:
- 7 (1) Radiation therapy department.
- 8 (2) Burn center.
- 9 (3) Emergency center.
- 10 (4) Radiation therapy department.
- 11 (5) Burn center.
- 12 (6) Emergency center.

~~(d)~~

(4) Hemodialysis center (or unit).

~~(e)~~

(5) Psychiatric.

~~(f)~~

(6) Intensive care newborn nursery.

~~(g)~~

(7) Cardiac surgery.

~~(h)~~

(8) Cardiac catheterization laboratory.

~~(i)~~

(9) Renal transplant.

~~(j)~~

(10) Other special services as the department may prescribe by regulation.

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(b) A general acute care hospital that exclusively provides acute medical rehabilitation center services may be approved in accordance with subdivision (b) of Section 1277 to offer special services not requiring surgical facilities.

~~The state~~

(c) *The* department shall adopt standards for special services and other regulations as may be necessary to implement this section. ~~For~~

(d) (1) *For* cardiac catheterization laboratory service, ~~the state~~ department shall, at a minimum, adopt standards and regulations that specify that only diagnostic services, and what diagnostic services, may be offered by ~~an~~ a general acute care hospital or a multispecialty clinic as defined in subdivision (l) of Section 1206 that is approved to provide cardiac catheterization laboratory service but is not also approved to provide cardiac surgery service, together with the conditions under which the cardiac catheterization laboratory service may be offered.

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(2) A cardiac catheterization laboratory service ~~shall be located in~~ of a general acute care hospital ~~that is~~ shall be either licensed to perform cardiovascular procedures requiring extracorporeal coronary artery bypass ~~that meets and meet~~ all of the applicable licensing requirements relating to staff, equipment, and space for service, or shall, at a minimum, have a licensed intensive care

1 service and coronary care service and maintain a written agreement
2 for the transfer of patients to a general acute care hospital that is
3 licensed for cardiac surgery or shall be located in a multispecialty
4 clinic as defined in subdivision (l) of Section 1206. The transfer
5 agreement shall include protocols that will minimize the need for
6 duplicative cardiac catheterizations at the hospital in which the
7 cardiac surgery is to be performed.

8 *(3) Commencing March 1, 2013, cardiac catheterization*
9 *laboratory services may be expanded by a general acute care*
10 *hospital to include cardiac catheterization space that is in*
11 *conformance with applicable building code standards, including*
12 *those promulgated by the Office of Statewide Health Planning and*
13 *Development, provided that all of the following occur:*

14 *(A) The expanded laboratory space is located in the building*
15 *so that the space is connected by an enclosed all-weather*
16 *passageway that is accessible by staff and patients who are*
17 *accompanied by staff.*

18 *(B) The service performs no more than 25 percent of its*
19 *procedures on hospital inpatients.*

20 *(C) The service complies with all policies and procedures*
21 *approved by hospital medical staff, and all standards and*
22 *regulations prescribed by the department, including, but not limited*
23 *to, applicable nurse-to-patient ratios under Section 1276.5, and*
24 *with all standards and regulations prescribed by the Office of*
25 *Statewide Health Planning and Development. Emergency*
26 *regulations allowing a general acute care hospital to operate a*
27 *cardiac catheterization laboratory service shall be adopted by the*
28 *department and by the Office of Statewide Health Planning and*
29 *Development by February 28, 2013.*

30 *(4) Notwithstanding Section 129885, cardiac catheterization*
31 *laboratory services expanded in accordance with this section shall*
32 *be subject to all applicable building standards. The Office of*
33 *Statewide Health Planning and Development shall review the*
34 *services for compliance with the OSHPD 3 requirements of the*
35 *most recent version of the California Building Standards Code.*

36 ~~For~~

37 *(e) For purposes of this section, “multispecialty clinic,” as*
38 *defined in subdivision (l) of Section 1206, includes an entity in*
39 *which the multispecialty clinic holds at least a 50-percent general*

partner interest and maintains responsibility for the management of the service, if all of the following requirements are met:

(1) The multispecialty clinic existed as of March 1, 1983.

(2) Prior to March 1, 1985, the multispecialty clinic did not offer cardiac catheterization services, dynamic multiplane imaging, or other types of coronary or similar angiography.

(3) The multispecialty clinic creates only one entity that operates its service at one site.

(4) These entities shall have the equipment and procedures necessary for the stabilization of patients in emergency situations prior to transfer and patient transfer arrangements in emergency situations that shall be in accordance with the standards established by the Emergency Medical Services Authority, including the availability of comprehensive care and the qualifications of any general acute care hospital expected to provide emergency treatment.

~~Except~~

(f) *Except as provided in this section and in Sections 128525 and 128530, under no circumstances shall cardiac catheterizations be performed outside of a general acute care hospital or a multispecialty clinic, as defined in subdivision (l) of Section 1206, that qualifies for this definition as of March 1, 1983.*

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to improve access to health care for patients requiring cardiac catheterization services at the earliest possible time, it is necessary that this act take effect immediately.

~~SECTION 1. Section 969.7 is added to the Streets and Highways Code, to read:~~

1 ~~969.7. (a) A board of supervisors, after it has determined by~~
2 ~~a resolution adopted by a four-fifths vote of its membership that~~
3 ~~the general county interest demands the improvement or repair of~~
4 ~~a public road that is not a county highway and is not in the county~~
5 ~~maintained system, may improve or repair the road if the~~
6 ~~improvements or repairs are necessary for the purpose of fire~~
7 ~~suppression. Those improvements or repairs shall be made and~~
8 ~~paid for in the same manner as improvements or repairs of county~~
9 ~~highways. Proceedings under this section shall not cause the road~~
10 ~~to become a county highway.~~

11 ~~(b) This section shall remain in effect only until January 1, 2017,~~
12 ~~and as of that date is repealed, unless a later enacted statute, that~~
13 ~~is enacted before January 1, 2017, deletes or extends that date.~~